

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 7 and 9 are presently active in this case. Claims 1-6 and 8 are canceled without prejudice or disclaimer.

The outstanding Office Action presents a rejection of Claims 1-3, 6, and 8 under 35 U.S.C. § 103(a) as being unpatentable over Hankawa et al. (U.S. Patent No. 5,727,239, Hankawa) in view of Erbey (U.S. Patent No. 6,476,850) and a rejection of Claims 4 and 5 under 35 U.S.C. § 103(a) as being unpatentable over Hankawa in view of Erbey and further in view of Nelson (U.S. Patent No. 5,237,340) and Booth (U.S. Patent No. 5,738,427).

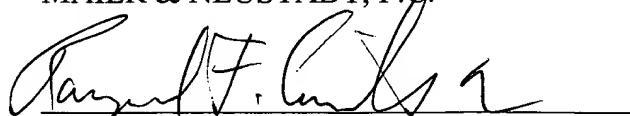
Applicants acknowledge with appreciation the indication that Claims 7 and 9 are allowed. As Claims 1-6 and 8 have been canceled without prejudice or disclaimer, the rejection of Claims 1-3, 6, and 8 under 35 U.S.C. § 103(a) as being unpatentable over Hankawa in view of Erbey and the rejection of Claims 4 and 5 under 35 U.S.C. § 103(a) as being unpatentable over Hankawa in view of Erbey and further in view of Nelson are submitted to now be moot.

It is further respectfully submitted that the present amendment should be entered under 37 CFR § 1.116 as it only removes issues from appeal without introducing any new search or examination requirements because it simply cancels rejected claims.

Consequently, in view of the above discussion and cancellation of Claims 1-6 and 8, it is respectfully submitted that the present application is in condition for formal allowance with only allowed Claims 7 and 9 being presented for examination.

Respectfully submitted,

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